



17231 U.S.PTO
111403

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MAIL STOP PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

***REQUEST FOR FILING A CONTINUATION OR DIVISION
OF AN INTERNATIONAL APPLICATION***

22389 U.S.PTO
10/714555
111403

Sir:

This is a request for filing a *continuation* application under 37 C.F.R. 1.53(b), of pending prior international application number PCT/EP02/05203 filed on May 11, 2002 which designated the United States.

Inventor(s):

Guido HERGENHAN whose address is **Schneegloeckleweg 1, 70374 Stuttgart, Germany** and whose citizenship is: **Germany**

Title: **POSITIONING DEVICE**

APPLICATION ELEMENTS:

(1) Patent Application Specification, including Abstract and claims - 25 pages
(2) Four (4) sheet(s) of **formal drawings**, together with transmittal letter
(3) A check in the amount of \$ _____ to cover the [] filing fee(\$.00) and/or [] Assignment Recordal Fee (\$ _____) is enclosed.

Before calculating the fee, cancel claim(s)
 Before calculating the fee, see copy of Preliminary Amendment filed.

MAIL STOP PATENT APPLICATION

Commissioner for Patents

HOE-785

November 14, 2003

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Basic Fee							\$	770.00
Multiple Dependent Claims (\$260.)								
Foreign Language Surcharge (\$130.)								
	For	No. Filed	-	No. Extra		Rate		
EXTRA	Total Claims	20	20	0	x	\$18.	=	\$ 0.00
CLAIMS	Independent Claims	1	3	0	x	\$86.	=	\$ 0.00
TOTAL FILING FEE							=	\$ 770.00

(4) Declaration and Power of Attorney form
a. Newly executed
b. Copy from a prior application
c. Deletion of inventor(s) – signed statement attached deleting inventor(s) named in the prior application.

(5) Small Entity Status

ACCOMPANYING APPLICATION PARTS:

(6) Assignment document
a. Newly executed (with \$40.00 recordal fee) and separate transmittal Form PTO-1595
b. Copy from a prior application
c. Please include assignee information when this application is published
Assignee: MILASYS GbR
Bachstrasse 41
71093 Weil im Schoenbuch
Germany

(7) Preliminary Amendment

(8) Certified Copy of Priority Document, together with separate transmittal letter

(9) Information Disclosure Statement, together with PTO Form 1449 and copies of cited references

(10) Return receipt postage prepaid postcard

(11) Express Mail Certificate (Mailing Label No. EV 129897975 US)

(12) Application Data Sheet

(13) [] Other:

(14) [X] Please amend the specification by inserting before the first line the sentence:

**“This application is a continuation of international application number
PCT/EP02/05203 filed on May 11, 2002.”**

(15) [X] This application claims the benefit of German Patent Application
No. 101 24 563.7 filed May 14, 2001.

(16) [X] Correspondence address:

**Barry R. Lipsitz
Law Offices of Barry R. Lipsitz
755 Main Street, Building 8
Monroe, CT 06468
Telephone: (203) 459-0200**

(17) [X] Pursuant to the provisions of 37 C.F.R. Sections 1.10 and 1.53, Applicant
respectfully requests that this application be assigned a serial number and a filing
date of November 14, 2003, the date upon which the application was mailed to the
Patent and Trademark Office by Express Mail (No. EV 129897975 US).

Respectfully submitted,



Barry R. Lipsitz
Attorney for Applicant(s)
Registration No. 28,637
755 Main Street, Bldg. 8
Monroe, CT 06468
(203) 459-0200

**ATTORNEY DOCKET NO.: HOE-785
Date: November 14, 2003**

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Guido Hergenhan)
Filed: Herewith)
For: **POSITIONING DEVICE**)

EXPRESS MAIL CERTIFICATE

MAIL STOP PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

"Express Mail" mailing label number **EV 129897975 US**

Date of Deposit: **November 14, 2003**

I hereby certify that the attached:

- Return receipt postage prepaid postcard;
- Transmittal Letter (Request for Filing a Continuation or Division of an International Application), with attachment - 3 pages total;
- Application Data Sheet;
- Patent Application Specification including Abstract and Claims (25 pages);
- Four (4) sheets of formal drawings, together with transmittal letter;
- Certified copy of priority document, together with transmittal letter.

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 and 1.53 on the date indicated above and is addressed to: **MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Carol Prentice

(Typed or printed name of person mailing paper or fee)

Great Prentiss

(Signature of person mailing paper or fee)

Respectfully submitted,

30

Barry R. Lipsitz
Attorney for Applicant(s)
Registration No. 28,637
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(203) 459-0200

Date: November 14, 2003
ATTORNEY DOCKET NO.: HOE-785

P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Guido Hergenhan
Application No.:
Filed: **Herewith**
For: **POSITIONING DEVICE**

DRAWING REVIEW BRANCH
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail (No. EV 129897975 US) addressed to MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 14, 2003.

By: Carol Prentice
Carol Prentice

TRANSMITTAL OF FORMAL DRAWINGS

Dear Sir:

Enclosed are four (4) sheet(s) of formal drawings for filing in the above-referenced patent application.

Please advise the undersigned attorney if correction is necessary.

Respectfully submitted,

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Date: November 14, 2003
ATTORNEY DOCKET NO.: HOE-785

Barry R. Lipsitz
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